

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MAURICE CHEW-BEY, )  
Petitioner, )  
vs. ) CIVIL NO. 06-707-GPM  
ALAN UCHTMAN, )  
Respondent. )

# MEMORANDUM AND ORDER

**MURPHY, Chief District Judge:**

Petitioner, currently incarcerated in the Menard Correctional Center, brings this habeas corpus action pursuant to 28 U.S.C. § 2254 to challenge the constitutionality of his confinement. He seeks leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915, and the Court finds that he is, in fact, indigent. Therefore, the motion for leave to proceed *in forma pauperis* (Doc. 2) is **GRANTED**.

At the time Petitioner filed this action, the warden at Menard was Alan Uchtman, who is named as Respondent in this action. The Court takes notice, however, that the current warden at Menard is Don Hulick.<sup>1</sup> Accordingly, on the Court's motion, Don Hulick is **SUBSTITUTED** for Alan Uchtman as Respondent in this action.

**IT IS HEREBY ORDERED** that Respondent shall, within twenty-three (23) days of receipt of this application for Writ of Habeas Corpus, answer and show cause why the writ should not issue.

<sup>1</sup> According to the Illinois Department of Corrections website, accessed March 23, 2007, <http://www.idoc.state.il.us/subsections/facilities/information.asp?instchoice=men>.

Service upon the Illinois Attorney General, Criminal Appeals Bureau, 100 West Randolph, 12th Floor, Chicago, Illinois 60601, shall constitute sufficient service.

**IT IS FURTHER ORDERED** that pursuant to Local Rule 72.1(a)(2), this cause is referred to a United States Magistrate Judge for further pretrial proceedings.

**IT IS FURTHER ORDERED** that this entire matter be **REFERRED** to a United States Magistrate Judge for disposition, as contemplated by Local Rule 72.2(b)(2) and 28 U.S.C. § 636(c), *should all the parties consent to such a referral.*

Petitioner is **ADVISED** of his continuing obligation to keep the Clerk and each opposing party informed of any change in his whereabouts during the pendency of this action. This notification shall be done in writing and not later than seven (7) days after a transfer or other change in address occurs.

**IT IS SO ORDERED.**

DATED: 04/20/07

s/ G. Patrick Murphy  
G. PATRICK MURPHY  
Chief United States District Judge